

February 18, 2009

Legal Assistance Resource Center of Connecticut
44 Capitol Avenue
Suite 301
Hartford, CT 06106

RE: Criminal Background Check Bill

Dear Legal Assistance,

My name is Brenda James who committed an assault in the 3rd degree in 1996 against my alleged fiancé at the time. My sentence was 45 days incarceration with a two-year probationary period. I completed a program called ADRC with some extended domestic counseling for abused women.

I am writing because I applied for a Pardon with the State of Connecticut Board of Pardon and Paroles through a mediation service program called the Connecticut Pardon Team, Inc., and their main office is located in Norwich, Connecticut. The founders name is Jacqueline Caron whom I work for as a volunteer Liaison for the city of Hartford and she has always been supportive and informative.

I applied for a Pardon in February of 2005 and received a Pardon Certificate in 2006.

I have been struggling to obtain employment, a new residence, and other perks with having a clean record since my initial application. I have worked very hard over the past 13 years to change my life and to become an accomplished individual my children and family could be proud of.

I have obtained a college education, no other criminal offenses, volunteering, and my faith in a higher resource than myself. What I am attempting to communicate in this letter is to inform you of my diligent effort to turn away from provocation on numerous occasions. I choose to abide by the rules and laws that govern the state as well as the nation.

I made an inexcusable mistake and my mistake has not been forgotten by the many predatory agencies that take my offense and recycle inaccurate information for a profit. In the meantime, I am constantly feeling embarrassed and a shame of my offense as my life has changed and I have grown wiser with my age to make better decisions. I seemingly to be continuously fighting my past offense every time I apply for a new job, a new home, and a new life.

I am struggling to make my earned Certificate of Pardon have the value that it is entitled to receive. I am advocating for a collaboration of the judicial system and the Background Check Agencies such as; RentGrow in

Massachusetts, Info Cubic in Colorado and another agency called ChoicePoint out of Georgia to stop relentlessly circulating inaccurate information against my name. My certificate of Pardon has little validity if these agencies are continuing to circulate my offense because it depreciates the value, the respect, and the lawmaker's decision of the State of Connecticut Certificate of Pardon. I am by their terms no longer being held accountable for an offense that I committed more than a decade ago.

I also would like to include that I am doing the footwork that the agencies are hired and being paid to do. I always have to send them proof of my certificate as a courtesy for free which I do not have to release a copy of my certificate and have received no restitution for my efforts. Once the inaccurate information is disclosed against me I sometimes get a letter of rejection, excessive charges and/or no follow up response. It takes weeks and by then the company has chosen someone else. I have missed out many chances for a new beginning which is the unwritten or spoken peace of mind that is attached to a certified pardon.

Every time I have applied for a job or anywhere an inaccurate criminal report of my offense circulates against me. This is a national problem because my offense is showing up inaccurately outside of the state of Connecticut. The anatomy of the pardon application ask for a list of cities, states that any offenses may have occurred but mine took place in the state of Connecticut and has been circulated in more than one other state. I am constantly being flagged causing me to be constantly scrutinized.

The last application was for a job with a company in Massachusetts, the company hired an agency and my criminal background came back with an offense but the information being reported is inaccurately. The decision to hire me is pending. I have had to provide proof of my Pardon by faxing or mailing a copy of my Pardon Certificate to each agency before they will remove the falsification on my background.

I would like to file a civil complaint against the above agencies who have supposedly received their information through the Court Operations administration facilitated by Mr. Larry Dorsey regarding this issue. I have called the judicial agency various times regarding this matter. I left a message for Rep. Lawlor, Sen. McDonald and spoke to other staff members but no one seems to be able to resolve this problem.

I can count the many sleepless nights, and just stressed about my information being inaccurately circulated. The information is always wrong and most of the time has an exaggerated description attached. I do not want you to think that I am downplaying the offense because I am not trying to do that and my remorse is real. The frustration of constant inaccurate information being distributed against me every time incorrectly but yet it should not be disclosed at all since the receipt of a sealed certificate of a pardon.

The impression that I am sensing from all of this is that no matter where I go it is evident that I am being flagged, and it has been this way for quite sometime. I confidently thought my approved pardon would change this response.

This inaccurate information has change perspective employers response towards me, it has caused me to become very discouraged, and it is ruining my life. These agencies have made it difficult for me and it opens another door of prejudgment against me before allowing an employer, a realtor, and any other organization that does a background check on me a fair opportunity to get to know a matured me. They are cheating the clients that have hired these agencies to do a thorough research. I also depend on these agencies to do a competent and thorough research.

It feels awfully challenged because as a reformed individual I can not seem to get a fair chance.

I have been turned down for numerous job(s). I have been sometimes pressured out of positions and/or terminated because of my criminal history. I have been charged an excessive amount of money for a security deposit or rental fees in a better location to discourage me from renting. I can not make a decent rate of pay due to my background history. I am currently working as an entry level clerk and I have one college degree, a pending higher degree, and a certification in Health administration with various skills and some public safety training. The few good paying employer(s) are not comfortable to take a chance with me because of my inaccurate criminal history.

I continue to take lower wage paying jobs because I have a family and refuse to give up. I have volumes to offer an employer that is willing to give me an opportunity and any additional training without holding my offense against me.

My suggestion is -Agencies that are hired to do background checks should affirmatively audit their data collection for inaccuracies before disclosing information to their clients. Penalties should be applied for inaccuracies and make the agencies accountable by refunding fees. It has cost me money to have my background check and additional money whenever inaccuracy is disclosed on my criminal background but it is also causing me to have a deformities of my character.

Information should not be forwarded against reformed and certified pardon recipients unless they have a new offense but any offense that has been expunged should no longer be public information data because it sets a double standard. It also contradicts the efforts of the State of Connecticut Board of Pardon and Paroles.

I applaud the Board of Pardon and Paroles for making a law that enforces criminal offenses to end after time served and an opportunity to start over but if the fruition of their authority is not sufficient then who can society trust.

It is certainly not the above agencies who refute the professionalism of their duties by consistently reporting a circulation of inaccurate criminal background information and causing people like me to be unhappier in an already difficult circumstance? ©

I would like to take this matter to a civil level and I was informed that the legal aid agency has a pending suit petitioning against this issue to my defense. I want a refund of my monies spent for my background to be disclosed inaccurately. I would like to be a part of the solution because I want to change this discriminatory act. It has cost me years of hardship financially and despair even now today than it deserves. It is not fair and I have been patiently waiting for a compliance law to be created.

Please References: Public Act. # 08151 signed by Governor Jodi Rell on 6/12/2008 effective October 2009 and prior to the above Public Act. # 0853

I can provide proof and written documents to back up my claim in support of this letter. I am also having this letter notarize.

In conclusion, please have someone contact me regarding this matter. I can be reached at (860) 727-8169 or (860) 752-8566 please leave me a message.

Respectfully yours,

Brenda James

Brenda James

Notary of Public

Cc: Greater Hartford Legal Assistance 999 Asylum Avenue, 3rd Floor
Hartford, CT 06105

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